

AN ORDINANCE

02- -1953

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT (BUREAU OF HOUSING AND CODE COMPLIANCE) TO CLEAN AND CLOSE THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON September 26, 2002.

| | | |
|------|------------------------|----|
| 908 | Bouldercrest Drive, SE | 05 |
| 1991 | Hollywood Road, NW | 09 |
| 386 | Inman Street, SW | 03 |
| 2282 | Oakview Road, NE | 05 |
| 2180 | Polar Rock Terrace, SW | 12 |

WHEREAS, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

WHEREAS, on February 28, 2002, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

WHEREAS, on February 28, 2002, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

WHEREAS, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

WHEREAS, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

WHEREAS, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to clean the premises and close the various structures following real property, upon which structure(s) are located:

| <u>Proper Street Address</u> | <u>City Council District</u> |
|-------------------------------------|-------------------------------------|
| 908 Bouldercrest Drive, SE | 05 |
| 1991 Hollywood Road, NW | 09 |
| 386 Inman Street, SW | 03 |
| 2282 Oakview Road, NE | 05 |
| 2180 Polar Rock Terrace, SW | 12 |

SECTION 2: That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Clean the premises and board the structures(s) in conformity with the In Rem Review Board's Orders.
- (3) File a lien against the real property on which the structures(s) are attached for the cost incurred.
- (4) Maintain the property in conformity with the In Rem Review Board's Order until the structure(s) are repaired or demolished.

SECTION 3: That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

THE SUPERIOR COURT FOR THE COUNTY OF
DEKALB, STATE OF GEORGIA

CITY OF ATLANTA BUREAU
OF NEIGHBORHOOD CONSERVATION
Plaintiff
VS.

NOTICE FOR RECORD
FOR LIS PENDENS

Monticello Bell
EquiCredit Corporation of America
Internal Revenue Service

TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against the above defendant on

Monday, September 9, 2002

in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 146 OF
THE 15TH DISTRICT, DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED ON THE NORTHEAST RIGHT OF WAY OF
BOULDERCREST DRIVE (HAVING 30-FOOT RIGHT OF WAY) SAID POINT BEING
LOCATED A DISTANCE OF 178.0 FEET IN A NORTHWEST DIRECTION FROM THE
INTERSECTION OF THE SAID RIGHT OF WAY OF BOULDERCREST DRIVE WITH
WINDFIELD AVENUE; RUNNING THENCE IN A NORTHWEST DIRECTION ALONG SAID
NORTHEAST RIGHT OF WAY OF BOULDERCREST DRIVE A DISTANCE OF 75.0 FEET TO
AN IRON PIN FOUND; RUNNING THENCE IN A NORTHEAST DIRECTION ALONG THE
EAST LINE OF LOT 4 OF THE H.W. DILLON PROPERTY AS PER PLAT BOOK 11, PAGE
100, A DISTANCE OF 239 FEET TO AN IRON PIN FOUND; RUNNING THENCE EAST A
DISTANCE OF 50.0 FEET TO AN IRON PIN FOUND; RUNNING THENCE SOUTHWEST
ALONG LOT 2 OF SAID SUBDIVISION A DISTANCE OF 287.0 FEET TO AN IRON PIN
FOUND ON THE NORTHEAST RIGHT OF WAY OF BOULDERCREST DRIVE AND BEING
THE POINT OF BEGINNING. Being improved property known as
908 Bouldercrest Drive, SE

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Dekalb County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: Monday, September 9, 2002

BY:

Dale S. Haymond
Bureau of Neighborhood Conservation, Official Agent
(404) 330-6195

BY:

Bill Canty
Assistant Real Estate City Attorney

TO WHOM IT MAY CONCERN: LIS PENDENS

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Jitendra G. Thakker & Bharati J. Thakker
Ruby Hudson Summerlin Baker formerly Ruby Hudson Summerlin
Conti Mortgage Corporation
Lee Jaraysi
Atlanta Equities, LLC

on 9-9-02 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

All that tract or parcel of land lying and being in Land Lot 252 of 17th District, of Fulton County, Georgia, and being part of Lot 103 of Block N, as per plat of L. W. Roberts, 1914, and recorded in Plat Book 6, page 132 and 133, and more particularly described as follows:

Beginning at a point on the southeast side of Hollywood Road 112 feet northeast of the northeast corner of Hollywood Road and McGriff Street; thence running thence running southeast along Lot 104 of said property 285 feet, more or less, to Lot 102A; thence northeast along the line of said Lot 102A, 64 feet; thence north on a line parallel to and 20 feet west of the east line of said Lot 103, a distance of 200 feet to a point; thence east 20 feet to the southwest corner of Lot 81; thence north along the west line of said Lot 81 a distance of 127 feet to southeast side of Hollywood Road; thence southwest along the southeast side of Hollywood Road; thence southwest along the southeast side of Hollywood Road, 98 feet, more or less, to the point of beginning, being known as No. 1991 Hollywood Road, N. W., according to the present numbering houses in the City of Atlanta.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: September 9, 2002

BY:

Dale S. Hays
Bureau of Neighborhood Conservation, Official Agent
(404) 330-6195

BY:

Bill Canty
Assistant Real Estate City Attorney

TO WHOM IT MAY CONCERN: LIS PENDENS

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Robin Pinckney

Mortgage Electronic Registration System Inc. as Nominee for Principal Residential Mortgage, Inc

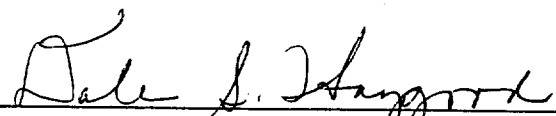
on **9-9-02** in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

ATTACHED HERETO:
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS
140 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA, BEING LOT 32,
BLOCK C, MATHEWSON SUBDIVISION, AS PER PLAT RECORDED IN PLAT
BOOK 10, PAGE 162, FULTON COUNTY RECORDS, WHICH PLAT IS
INCORPORATED HEREIN AND BY REFERENCE MADE A PART OF THIS
DESCRIPTION. Being improved property known as
386 Inman Street, SW.

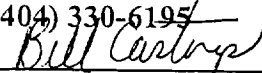
The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: September 9, 2002

BY:


Bureau of Neighborhood Conservation, Official Agent
(404) 330-6195

BY:


Assistant Real Estate City Attorney

THE SUPERIOR COURT FOR THE COUNTY OF
DEKALB, STATE OF GEORGIA

CITY OF ATLANTA BUREAU
OF NEIGHBORHOOD CONSERVATION
Plaintiff
VS.

NOTICE FOR RECORD
FOR LIS PENDENS

Harrison W. Bentley & Sandra Reed-Bently
Alliance Mortgage Company of Florida

TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against the above defendant on

Monday, September 9, 2002

in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

All that tract or parcel of land lying and being in Land Lot 205 of the 15th District, DeKalb County, Georgia, being Lot 4 and Part of Lot 5, Woodlawn Subdivision, as per plat recorded in Plat Book 2, Page 20, DeKalb County Records, and being more particularly described as follows:

BEGINNING at an iron pin on the northwesterly side of Oakview Road (formerly Woodbine Avenue) 144.2 feet northeasterly from the intersection of the northwesterly side of Oakview Road with the northeasterly side of Boulevard Drive; running thence northeasterly along the northwesterly side of Oakview Road 72.0 feet to an iron pin; running thence northwesterly 148.5 feet to an iron pin located on the southeasterly side of a 10 foot alley; running thence southwesterly along the southeasterly side of said 10 feet alley 87.5 feet to an iron pin; running thence southeasterly 145.0 feet to an iron pin on the northwesterly side of Oakview Road at the point of beginning. Being improved property known as 2282 Oakview Road, NE.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of DeKalb County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: Monday, September 9, 2002

BY:

Dale S. Haygood

Bureau of Neighborhood Conservation, Official Agent
(404) 330-6195

BY:

Bill Canty

Assistant Real Estate City Attorney

Lis Pendens # 0011971
BK. 32 Pg. 43

TO WHOM IT MAY CONCERN: LIS PENDENS

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Rogers L. Cantrell
The First National Bank of Atlanta

on 9-9-02 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 70 of the 14th District of Fulton County, Georgia, being Lot 9, Block C, Polar Rock Park, as per plat recorded in Plat Book 56, page 120, Fulton County Records, and being more particularly described as follows:

BEGINNING at an iron pin located on the east right of way line of Polar Rock Terrace, three hundred five (305) feet south as measured along the east right of way line of Polar Rock Terrace, from the point of intersection of the east right of way line of Polar Rock Terrace with the southeasterly right of way line of Polar Rock Road; running thence south along the east right of way line of Polar Rock Terrace, sixty (60) feet to an iron pin; running thence east along the north line of Lot 10, said block and subdivision, one hundred sixty (160) feet to an iron pin; running thence north, sixty (60) feet to an iron pin; running thence west along the south line of Lot 8, said block and subdivision, one hundred sixty (160) feet to an iron pin located on the east right of way line of Polar Rock Terrace and the point of beginning; being improved property known as 2180 Polar Rock Terrace, according to the present system of numbering houses in the City of Atlanta, Fulton County, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: September 9, 2002

BY: Dale S. Hyatt
Bureau of Neighborhood Conservation, Official Agent
(404) 330-6195
BY: Bill Cantrell
Assistant Real Estate City Attorney

(Do Not Write Above This Line)

ORDINANCE BY: COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO
DIRECT THE DEPARTMENT OF PLANNING AND
COMMUNITY DEVELOPMENT (BUREAU OF HOUSING
AND CODE COMPLIANCE) TO CLEAN THE PREMISES
AND CLOSE THE VARIOUS STRUCTURES, PURSUANT
TO ARTICLE III OF THE ATLANTA HOUSING CODE
AND A HEARING CONDUCTED BY THE IN REM REVIEW
BOARD ON SEPTEMBER 26, 2002

908 Bouldercrest Drive, SE 05
1991 Hollywood Road, NW 09
386 Inman Street, SW 03
2282 Oakview Road, NE 05
2180 Polar Rock Terrace, SW 12

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

MAYOR'S ACTION

To Mayor's Office: Greg Pridgeon

(for review & distribution to Executive Management)

Commissioner Signature

Director Signature

From: Originating Dept. Housing Demolition

Contact (name) Dale Haygood - 6195

Committee(s) of Purview: Comm. Dvlpmt./HR Committee Deadline: Nov. 01, 2002

Committee Meeting Date(s) Nov. 12, 2002 - Nov. 18, 2002 City Council Meeting Date: Dec. 02, 2002

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT (BUREAU OF HOUSING AND CODE COMPLIANCE) TO CLEAN AND CLOSE THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD September 26, 2002.

| | | |
|------|------------------------|----|
| 908 | Bouldercrest Drive, SE | 05 |
| 1991 | Hollywood Road, NW | 09 |
| 386 | Inman Street, SW | 03 |
| 2282 | Oakview Road, NE | 05 |
| 2180 | Polar Rock Terrace, SW | 12 |

BACKGROUND/PURPOSE/DISCUSSION:

Owner(s) and/or Parties in interest at above properties did not repair or demolish the structure and clean the premises in accordance with the Atlanta Housing Code of 1987.

FINANCIAL IMPACT (if any): Approximately \$6,000.00

(The actual calculations are not made until the property is released to the contractor. The cost for cleaning and boarding the property is calculated for each structure depending on the number of window and door openings and the trash and debris that is removed).

OTHER DEPARTMENT(S) IMPACTED: _____

Coordinated Review With: _____

Mayor's Staff Only

Received by Mayor's Office: 11-4-02
(date)

Reviewed: [Signature]
(initials) (date)

Submitted by Council: _____
(date)

Action by Committee:

☐ Approved ☐ Adversed ☐ Held ☐ Amended
☐ Substitute ☐ Referred ☐ Other